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January 9, 2006

**BY E-FILING**

The Honorable Kent A. Jordan  
United States District Court  
844 N. King Street  
Wilmington, Delaware 19801

Re: *Heraeus v. Lynn*, C.A. No. 04-904 (KAJ)

Dear Judge Jordan:

I write on behalf of the parties to advise the Court that the parties have reached a settlement, with the assistance of Magistrate Judge Thyng.

The parties expect to finalize the settlement by February 23, 2006 (45 days from reaching settlement), and will file a Stipulation of Dismissal upon execution of the final settlement agreement.

In the meantime, the parties respectfully request that all further activity in the case be suspended, including discovery, motions, and responses to pending motions.

Respectfully,

*/s/ Leslie A. Polizoti*

Leslie A. Polizoti

cc: Dr. Peter T. Dalleo (by hand)  
Magistrate Mary Pat Thyng (by email (judge\_mary\_pat\_thyng@ded.uscourts.gov))  
Kevin M. Baird, Esq. (by hand and by email (kbaird@cblh.com))  
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